

RECEIVED  
CENTRAL FAX CENTER

NOV 14 2004

FAX

TO: Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax (703) 872-9306

FROM: Thomas J. Brindisi  
Law Offices of Thomas J. Brindisi  
Tel. (310) 439-2901  
Fax (310) 439-2902

DATE/TIME: November 13, 2004

3 Pages (including cover sheet)

**RE: Response to Restriction Requirement**

Application Number:	10/619,955
Attorney Docket:	BRI/026
Filing Date:	7/15/2003
First Named Inventor:	David T. Jennings III
Title:	Status Flags in a System of Electronic Pyrotechnic Devices Such as Electronic Detonators
Examiner:	Jack W. Keith
Art Unit:	3641

Attached are:

- Amendment & Response to Restriction Requirement

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence and the attached correspondence(s) referenced above are

BEST AVAILABLE COPY

RECEIVED  
CENTRAL FAX CENTER

S.N. 10/619,955

NOV 14 2004

Docket BRI/026

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>1<sup>st</sup> Named Inventor:</b> David T. Jennings III	<b>Group Art Unit:</b> 3641
<b>Serial No.:</b> 10/619,955	
<b>Filed:</b> 7/15/2003	<b>Examiner:</b> Jack W. Keith
<b>Title:</b> Status Flags in a System of Electronic Pyrotechnic Devices Such as Electronic Detonators	

RESPONSE TO RESTRICTION REQUIREMENT

Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of November 5, 2004, the restriction requirement is traversed because it is submitted that MPEP 806.05(e) is not satisfied. First, the process as claimed can not be practiced by the cited Boucher (6,584,907) apparatus, which appears incompatible with step d) of method claim 1 (i.e., during the firing sequence, setting one or more status flags high). Second, there does not appear to be any reasonable basis for classifying the claims of group 1 in a different class than those of group 11. Subclasses 200 and 206 of class 102 each apply to process and apparatus, and no plausible basis appears on which to distinguish the claim groups with respect to the actual definitions of the subclasses provided in the MPEP manual of classification.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence and the attached correspondence(s) referenced above are being facsimile transmitted to the United States Patent and Trademark Office at the fax number set forth above on November 13, 2004.

Signed:

Thomas J. Brindisi  
Thomas J. Brindisi

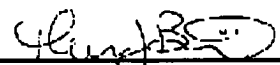
S.N. 10/619,955

Docket BRI/026

It is therefore submitted that the restriction requirement has been convincingly traversed, shifting the burden to the Examiner to provide a viable basis or withdraw the requirement per MPEP 806.05(e). Pending withdrawal of the requirement, group 11  
reinstatement at such time as pertinent linking claims are found allowable. It is believed that no fees are due with the present response, but if any fees are required, it is hereby requested that such fees be charged to the undersigned's Deposit Account No. 502502.

Respectfully submitted,

Dated: November 13, 2004

  
THOMAS J. BRINDISI  
Reg. No. 40,348

20 28<sup>th</sup> Place, Suite B  
Venice, California 90291  
Tel. (310) 439-2901  
Fax. (310) 439-2902

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**